

Morning Sentinel

Service Agency Tries to Simplify Legal Problems of Maine's Needy

By Betty Adams

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AUGUSTA — Ninety percent of the cases handled by attorney Jack Comart are settled before they turn into lawsuits.

That's best for his clients, he says, because most are people with low incomes and a history of legal problems that could prove detrimental if aired in court.

Comart is a lawyer with Pine Tree Legal Assistance Inc., a statewide group that provides free legal aid to those who qualify.

The agency is 35 years old, and administrators estimate it has helped about 250,000 people over those years with urgent legal problems.

Last year alone, the agency aided more than 14,000 people, according to Nan Heald, who has been with Pine Tree Legal since 1985 and directed it since 1990.

Comart, who lives in Readfield, is based in the agency's Augusta office, a short walk from Augusta District Court and Kennebec County Superior Court. But most of his work is done outside the courtroom and over the telephone with administrators of state programs, including Medicaid, and with landlords.

Another attorney in the office handles domestic violence cases, and still another is on-site at Lewiston District Court every Wednesday to assist an average of 20 people facing eviction who want to speak to a lawyer.

"We deal with a lot of emergencies," Comart said. "It's still amazing how many people call us up the day before or after their hearing. They either didn't go to court or they lost at court."

Pine Tree is dealing with fewer evictions pending in Augusta District Court. "In this area, I haven't seen too many bad landlords," Comart said.

Part of the problem, he said, is that rents are rising but wages and public benefits are not.

The agency takes credit for "abolition of debtors' prison, the right to due process and a fair hearing, the first successful employment-discrimination lawsuits, improved housing codes and accessibility for people with disabilities."

Comart said legal aid works well in Maine. He contrasted it to his experience in the 1970s and early 1980s in Kentucky.

"Legal Services providers were viewed as complete outsiders," he said. "The judicial system and the private bar had no use for us and no support. Maine is much different. I'm sort of amazed at the level of support by the private bar."

Through the Volunteer Lawyers Project, private attorneys donate their services to do some cases for Pine Tree, including debt collection and contract disputes.

Over the past two decades, Comart has seen the role of Pine Tree change in response to federal funding cuts and stricter regulations.

Heald said, "We used to have almost all of our funding from four sources, general unrestricted funds. Now that is about half. The rest are specific annual grants that require us to do particular kinds of work."

Some of that work includes access to health care benefits and aiding families that may have a housing problem but also have other issues, such as a disabled child. Heald said the agency can try to find mental health services, school services and others. "We're looking at the big picture," she said.

"We specialize in public benefits, housing evictions and domestic violence," Comart said, but added that because of such a high volume of need and staffing reductions, "most cases are advice and brief services as opposed to extended representation."

The agency has shrunk over the past few years because it's been barred since 1995 from bringing class-action lawsuits and welfare reform challenges and banned from collecting attorneys fees from lawsuits and from doing any legislative lobbying.

Former staff attorneys Mary Henderson and Chris Hastedt subsequently began the Maine Equal Justice Project, which concentrates on lobbying and class actions.

The Interest on Lawyer Trust Accounts, administered by the Maine Bar Foundation, helps to fund Pine Tree Legal, Maine Equal Justice, Cumberland Legal Aid and Legal Services for the Elderly. In addition, the courts have assessed a fee on civil filings, a funding source that supports the Maine Civil Legal Services Fund. And the Coffin Fellowship Program provides money for attorneys who do domestic relations work.

While Pine Tree has income guidelines for its clients in housing and public benefits cases, there are no income limits for those receiving services to prevent domestic violence.

Comart said a new video-conferencing feature allows those at domestic violence shelters to get legal help without going to court.

The agency offers forms for renters to try to get their security deposit returned, and forms for people who want to get divorced or modify their divorce decree. Some of those are available on the Web at

www.ptla.org and can be printed out and taken to court.

Other information is provided also, and one person at Pine Tree does client education exclusively.

Pine Tree offices are located in Augusta, Bangor, Lewiston, Machias, Portland, Presque Isle and Rockland.

The agency has 53 people on staff, including 27 attorneys, some of whom function as administrators and others who are part-time. The annual operating budget is about \$3.4 million, Heald said.